

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

~~SAVED BY COURT ORDER~~

UNITED STATES OF AMERICA,

v.

FILED

MAR 26 2019

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JONATHAN ORTINO,

CR 19 142

WHO

DEFENDANT(S).

INDICTMENT

18 U.S.C. §§ 1001(a)(2) & 2 - False Statement to Government Agency

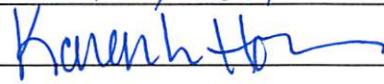
A true bill.



Foreman

Filed in open court this 26 day of

MARCH, 2019



KAREN L. HOM

Clerk

SALLIE KIM
United States Magistrate Judge
on call Bail \$ no bail Arrest Warrant

1-mtn

1 DAVID L. ANDERSON (CABN 149604)
2 United States Attorney
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REDACTED
FILED

MAR 26 2019

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 SAN FRANCISCO DIVISION

11 UNITED STATES OF AMERICA,

) No. CR 19 142

12 Plaintiff,

)
) VIOLATION:
) 18 U.S.C. §§ 1001(a)(2) & 2 – False Statement to
) Government Agency

13 v.

14 JONATHON ORTINO,

15 Defendant.

) UNDER SEAL
)

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16
17 INDICTMENT

18 The Grand Jury charges:

19 Introductory Allegations

20 1. At all times relevant to this indictment, the defendant, Jonathon Ortino, was the president
21 of the National Treasury Employees Union, Chapter 165 (“NTEU 165”).

22 2. As the president of NTEU 165, the defendant had an obligation to file the union’s annual
23 Form LM-3 Labor Organization Annual Report (“Form LM-3”) with the Department of Labor’s Office
24 of Labor-Management Standards.

25 3. The Form LM-3 required defendant to report, among other things, loans and
26 disbursements made to NTEU 165’s officers, and money received by NTEU 165.

27 COUNT ONE: 18 U.S.C. §§ 1001(a)(2) (False Statement to Government Agency)

28 On or about February 24, 2015, in the Northern District of California, the defendant,

JONATHON ORTINO,

did willfully and knowingly make materially false, fictitious, and fraudulent statements and representations in a matter within the jurisdiction of the Department of Labor, a department of the executive branch of the Government of the United States. Specifically, defendant knew that some of the information in the Fiscal Year 2014 Form LM-3 for NTEU 165 was not true, correct, and complete because the Form LM-3 included the following materially false, fictitious, and fraudulent statements and representations:

- (1) In response to Question 18, which asked if NTEU 165 had “loans totaling more than \$250 to any officer, employee, or member” during the reporting period, the Form LM-3 said “no”; in truth and in fact, NTEU 165 had loaned defendant more than \$250 during the reporting period;
- (2) In response to Question 24, the Form LM-3 stated that NTEU 165 gave defendant \$1,060 in allowances and disbursements during the reporting period; in truth and in fact, NTEU 165 disbursed more than \$1,060 to defendant during the reporting period; and
- (3) Statement A of the Form LM-3 stated that NTEU 165 did not make any loans during the reporting period; in truth and in fact, NTEU 165 loaned defendant money during the reporting period.

All in violation of Title 18, United States Code, Sections 1001(a)(2) & 2.

COUNT TWO: 18 U.S.C. §§ 1001(a)(2) (False Statement to Government Agency)

On or about March 29, 2016, in the Northern District of California, the defendant,

JONATHON ORTINO,

did willfully and knowingly make materially false, fictitious, and fraudulent statements and representations in a matter within the jurisdiction of the Department of Labor, a department of the executive branch of the Government of the United States. Specifically, defendant knew that some of the information in the Fiscal Year 2015 Form LM-3 for NTEU 165 was not true, correct, and complete because the Form LM-3 included the following materially false, fictitious, and fraudulent statements and representations:

(1) In response to Question 18, which asked if NTEU 165 had "loans totaling more than \$250

1 to any officer, employee, or member" during the reporting period, the Form LM-3 said
2 "no"; in truth and in fact, NTEU 165 had loaned defendant more than \$250 during the
3 reporting period; and

4 (2) Statement A of the Form LM-3 stated that NTEU 165 did not make any loans during the
5 reporting period; in truth and in fact, NTEU 165 loaned defendant money during the
6 reporting period.

7 All in violation of Title 18, United States Code, Sections 1001(a)(2) & 2.

8 COUNT THREE: 18 U.S.C. §§ 1001(a)(2) (False Statement to Government Agency)

9 On or about March 30, 2017, in the Northern District of California, the defendant,

10 JONATHON ORTINO,

11 did willfully and knowingly make materially false, fictitious, and fraudulent statements and
12 representations in a matter within the jurisdiction of the Department of Labor, a department of the
13 executive branch of the Government of the United States. Specifically, defendant knew that some of the
14 information in the Fiscal Year 2016 Form LM-3 for NTEU 165 was not true, correct, and complete
15 because the Form LM-3 included the following materially false, fictitious, and fraudulent statements and
16 representations:

17 (1) In response to Question 18, which asked if NTEU 165 had "loans totaling more than \$250
18 to any officer, employee, or member" during the reporting period, the Form LM-3 said
19 "no"; in truth and in fact, NTEU 165 had loaned defendant more than \$250 during the
20 reporting period;

21 (2) In response to Question 24, the Form LM-3 stated that NTEU 165 gave defendant \$936 in
22 allowances and disbursements during the reporting period; in truth and in fact, NTEU 165
23 disbursed more than \$936 to defendant during the reporting period; and

24 (3) Statement A of the Form LM-3 stated that NTEU 165 did not make any loans during the
25 reporting period; in truth and in fact, NTEU 165 loaned defendant money during the
26 reporting period.

27 All in violation of Title 18, United States Code, Sections 1001(a)(2) & 2.

1 DATED: 3-26-2019

A TRUE BILL.

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FOREPERSON
San Francisco

DAVID L. ANDERSON
United States Attorney



HALLIE HOFFMAN
Chief, Criminal Division

(Approved as to form: 

10)
11 CHRISTOPHER VIEIRA
12 Special Assistant United States Attorney